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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

## IN RE: OPTICAL DISK DRIVE PRODUCTS ANTITRUST LITIGATION

**Case No. M:10-cv-02143 VRW**

**MDL No. 2143**

## This Document Relates to:

## ALL ACTIONS

**SUPPLEMENTAL DECLARATION OF  
FRANCIS O. SCARPULLA IN SUPPORT OF  
THE ZELLE GROUP'S PROPOSAL FOR  
APPOINTMENT OF INTERIM CLASS  
COUNSEL**

1 I, Francis O. Scarpulla, declare:

2 1. I am an attorney licensed to practice before the courts of the State of California and  
3 the Northern District, and a partner of the law firm Zelle Hofmann Voelbel & Mason LLP, attorneys  
4 for the Indirect-Purchaser Plaintiffs Ann Carney, Craig P. Kelly, Bonnie Lockwood, Thomas  
5 Fennesy, and Justus Austin, III. I make this Declaration in Support of The Zelle Group's Proposal  
6 For Appointment Of Interim Class Counsel. I have personal knowledge of the facts stated in this  
7 Declaration and, if called as a witness, I could and would testify competently to them.

8 2. In preparing the proposed fee structure, I have not communicated with any other  
9 counsel for plaintiffs or defendants in these cases outside of our group as to the substance or form of  
10 the proposal, and I have not had any discussions with other counsel for plaintiffs with respect to  
11 potential future work on the Indirect Purchaser Cases. Counsel assisting in the preparing of this  
12 submission were advised to maintain its confidentiality and to not communicate with any other  
13 counsel for plaintiffs or defendants outside of our group as to the substance or form of the proposal.  
14 To the best of my knowledge, no one from our group has discussed or shared the substance or form  
15 of the proposal with parties or counsel outside of our group.

16 I declare under penalty of perjury pursuant to the laws of the State of California that the  
17 foregoing statements of fact are true and correct.

18 Executed this 13th day of May, 2010 in San Francisco, California.

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20 */s/ Francis O. Scarpulla* \_\_\_\_\_

21 Francis O. Scarpulla  
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